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ABSTRACT

This guide has been written to help parents represent their children at New York City Board of Education hearings. The guide explains the rights of parents and children and explains the steps a parent should take in representing the child. It only applies to regular education junior high, intermediate, and elementary school suspensions. Sections of the guide explain: (1) reasons a student can be suspended; (2) the right to a suspension hearing; (3) what happens to the child before the hearing; (4) the prehearing conference; (5) whether to have a hearing or to stipulate to the charges; (6) the suspension hearing; (7) academic records and the posthearing phase; (8) a timeline for the hearing officer to issue a decision; (9) what the hearing officer can decide; (10) records of suspension; (11) petitioning for readmission; and (12) appeals. (SLD)

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Superintendent Suspensions: Elementary and Junior High School Students

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A Guide for Parents and Students
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Your child has been suspended from school, so you have to make some difficult decisions. **Depending on how serious the charges are and what grade your child is attending, your child may face either a year long suspension with placement at an alternative instruction site, or a forced transfer.** Your child may even have been arrested for the same incident. Before the Board of Education will even consider allowing your child to return to school, you must either have a hearing if you disagree with the charges, or give up your right to a hearing.

The first thing you must do is to make sure that this is a Superintendent's level suspension. Call the school and ask. Your child may only have been suspended by the school principal, in which case s/he may return to school in 5 days or less. However, if your child has been suspended by the Superintendent, you are expected to appear at a Board of Education hearing at your Community School District Office. This hearing has nothing to do with any court proceedings that may result from the incident.

You have a right to bring an attorney or advocate to the suspension hearing if you wish. However, it is not always possible to find an attorney or advocate who can represent your child. But you, as a parent, can be an effective advocate for your child if you know the rules and regulations governing suspensions and the procedures for suspension hearings.

We have written this manual to help you represent your child at a Board of Education suspension hearing. Hearings can be complicated because there are many different

laws and rules that apply. In this guide, we have tried to explain your and your child's rights and hope this will help you understand the steps you should take in representing your child. **Remember: this guide only applies to regular education junior high, intermediate and elementary school suspensions.**

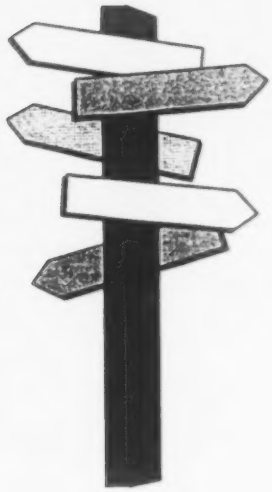
Wherever we have explained a rule, we have put next to the explanation the official number of the rule we are referring to. This is so that you will not only know your rights, but you will also know where your rights come from and you can refer to the rule yourself. All the rules are from "Chancellor's Regulations A-440" and are labeled with a page number. So, for example, when you see information followed by CR A-440, p.16, you can say "I know my child has this right because it is stated in the Chancellor's Regulations A-440 on page 16."

The only other source we refer to is a United States (US) Supreme Court decision about searching students in school. This case is called New Jersey v. T.L.O.

Unfortunately, schools don't always know or follow every rule carefully. After you read this manual, you may know more about your child's rights than some people at the Board of Education. That is the key to effective advocacy -- knowing your rights and insisting on them. Read the parts of this manual that are relevant to your case carefully and try, as best you can, to advocate for your child.

We hope you will find this manual and the important

telephone numbers listed in the back, helpful. Please call us if you have questions or suggestions for making it better.



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Reasons that a Student Can be Suspended

A student may be suspended form school when a principal believes that the student is so disruptive that s/he prevents the "orderly operation of classes or other school activities" or poses a "clear and present danger of physical injury" to her/himself or others. (CR A-440, p. 4) A suspension should not be used as a punishment. Suspensions should only be used to relieve an emergency situation , not to punish your child for being "badly behaved in general." (Students who have behavior problems should have a guidance conference with the parents and principal to discuss ways to address the behavioral issues. CR A-440, p. 3)Therefore, **the charges against your child must be specific.** They must include a time, a date, a place, and a brief but exact description of the incident. (CR A-440, p. 17)

A principal must seek the authorization of the superintendent prior to suspending a pupil. Before authorizing the suspension, the superintendent must consider what other disciplinary, guidance and intervention measures the school has considered.

You are Entitled to a Suspension Hearing

Your are entitled to a hearing within 5 school days of your child's suspension. The superintendent suspension hearings are held at the Community School District Office. The hearing is your opportunity to go over the facts surrounding the incident. Some people go to their hearing with a

lawyer or advocate, but most people do not. If you intend to bring an attorney or advocate with you, you must notify the hearing office **24 hours** before the hearing. (If you don't provide 24 hours notice, it is possible that the hearing will be postponed and rescheduled and your child will remain out of school until the new hearing date.) If you choose to have the hearing without representation, read the following information carefully.

What Happens to Your Child Before the Hearing

Your child should not miss any school work while waiting for the hearing to be held, or while waiting for the decision after the hearing. **S/he should be given all homework assignments while s/he is out of school on suspension, as well as the opportunity to take or make up any exams** (CR A-440, p. 20). You may have to get this work form the school yourself by going and asking for it. Many districts also provide students with placements in alternative classes while they are waiting for their placement.

At this time you should also ask for a copy of your child's records (also known as the **"suspension packet"**). The records will consist of two things: everything to do with the suspension (witness statements, incident report, your child's statement), and your child's complete academic records (grades, teacher comments, attendance records, credits, etc.). The school must give you a copy of this packet when you request it in person at the school (CR A-440, p. 17, part e). You will need this packet in order to

know exactly what kind of evidence the school has against your child - this will help you decide whether or not you want to have a hearing.

Pre-Hearing Conference

On the day of the hearing, before the actual hearing starts, you will be called into the hearing room to meet with the Hearing Officer without anyone form the school present. The Hearing Officer is a Board of Education employee, and is usually not an attorney. S/he will hear the case and make a recommendation to the Superintendent concerning your child's educational future. At the pre-hearing conference, s/he will not discuss the details of the case with you, but will tell you your rights and explain that you can either have a hearing or "stipulate" to the charges (see below).

Sometimes, hearing officers hold "group" pre-hearing conferences where other students and parents are present. If you or your child are uncomfortable with this , you have the right to request an individual pre-hearing conference.

Deciding to Have a Hearing or to "Stipulate" to the Charges

If you disagree with the charges because you believe your child is innocent, or you think there are other important details to consider (for instance, your child did not start the incident or only hurt someone by accident, or the school did not fulfill all its obligations outlined in "School Responsibilities," below), you should say you want to go

ahead with a hearing.

If you feel the school made a reasonable decision in suspending your child, then you may not wish to argue against the charges. This is called "stipulating to the charges," or "pleading no contest." (You may also want to consider stipulating to the charges if the school's witness statements present a worse picture than the charge alone. When you stipulate, only the charge is entered into your child's record. If you have a hearing however, and do not win, however, all the details of the incident can be entered into your child's records.)

If you stipulate to the charges, the Superintendent will make a decision about your child's educational future within 2 school days. You can request that your child be "reinstated" (allowed to return to the same school), or transferred to a certain other school and you can ask that any records of the suspension be sealed and expunged (see p. 10), but the Superintendent does not have to go along with your request. Call the Hearing Officer if you do not receive a mailgram decision within 2 school days.

The mailgram will contain the Superintendent's decision concerning where your child will attend school in the future. If you are satisfied with the decision, accept the offer by following the instructions on the mailgram setting an appointment for a conference at the school your child will now be attending. Bring a copy of your child's academic records with you. You do not need to bring a copy of your child's discipline records (sometimes called "anecdotal records") with you to the new school.

If the Superintendent offers a school you do not want, ask for another school. If s/he offers a transfer to a school that you think would be harmful to you child, and refuses to change the offer, you have 3 days to "withdraw the stipulation" and ask to have a hearing. The fact that you stipulated cannot be used against you in the new hearing.

The Suspension Hearing

The suspension hearing is held in a small, private room. You, your child, and your witnesses sit on one side of a long table. School personnel and witnesses sit on the opposite side. The Hearing Officer is seated at one end of the same table. When witnesses are called, they are asked to sit at the opposite end. On the table will be tape recording equipment, including several microphones. Another employee of the Hearing Office will be in the room to tape everything that is said during the hearing.

The suspension hearing is like an informal court hearing. **The school must prove that your child did what they have charged.** It must bring people who have first-hand knowledge of the incident, such as student witnesses, teachers, or security guards, to the hearing to testify. (CR A-440, p.21) If the school does not bring the "complaining witness," you should ask that the charges be dropped. If none of the school's witnesses have direct first hand knowledge of the incident, the charges should be dismissed. **The school may also give the Hearing Officer written documents, but only those that it gave to you when you requested the suspension packet. (CR A-440, p. 24)**

You will have the opportunity to question all the school's witnesses. Ask them anything you can think of that will help you better understand what happened. For instance, if a witness says s/he saw your child punch another student, ask how many people were at the incident. Maybe s/he is not positive it was your child, or maybe there were so many people that s/he could not see the incident clearly.

The Hearing Officer will also ask questions, but cannot act as a representative for you or the school. S/he should question witnesses impartially to gather the facts about the incident.

Only the specific charges may be discussed. Any information about any trouble your child may have had in the past has nothing to do with the charges now, and should not be brought up since it will only prejudice the Hearing Officer against your child.

After the school presents all its witnesses, you may have your own witnesses testify and you may present any documents that will help your case. After all the witnesses have testified, each side can make a statement ("closing argument") summarizing its most important points. You should repeat all the reasons why you think the school has not proven its case and the charges should be dismissed.

The Hearing Officer has the responsibility of listening to all the testimony and deciding what actually happened on the day of the incident. S/he then makes a recommendation to the Superintendent concerning what should happen to your child.

Making Your Case

Basically, by questioning witnesses you are trying to make two types of points. The first type is why you feel your child is innocent. For instance, maybe your child is charged with assaulting someone but, in fact, that other person started it or, in fact, nobody was even hurt. Or maybe your child is charged with threatening someone with a weapon, but s/he did not actually try to hurt anyone with it. Or perhaps your child simply was not involved in the incident and this is a case of "mistaken identity."

The other type of point you should try to make is about mistakes made by the school (see "School's Responsibilities," below). For instance, the school might not have investigated the incident, or might not have given your child the chance to tell her/his side of the story. Someone from the school, known as the "investigating dean," will be at the hearing. The investigating dean is in charge of the case and you should ask her/him all your questions about how the school handled the case. The school must follow certain procedures to protect your child's rights ("due process"). If it fails to do so, you can argue that the charges should be "dismissed," because the school did not give your child her/his due process rights.

Deciding if Your Child Should Testify

You must decide whether your child will testify. This is a hard decision to make. If your child was arrested for the same incident, it might be wise <u>not</u> to have her/him testify,

because the record of the hearing could be used negatively in court. If you have an attorney for your child's criminal case, s/he will advise you whether or not your child should testify at the suspension hearing.

If your child was not arrested, decide whether her/his testimony is more likely to help to have his/her explanation of the incident. However, if your child is charged with something s/he did do, it is often best not to have her/him testify because if your child testifies, s/he will have to tell the truth and admit guilt.

Remember, it is the school's job to prove its case. Let it do so without your help. Your child has a constitutional right not to testify against her/himself. The Hearing Officer may not assume anything bad by your child's silence.

Postponing or "Adjourning" the Hearing

Either you or the school may ask that the hearing be put off for a few days. Your may wish to postpone in order to get witnesses or a lawyer. The school might also need to adjourn.

If the school postpones the hearing for any reason, your child should go back to school or, with your consent, sent to another school while waiting for the new hearing. It is usually better for your case if your child is back in the original school when the hearing takes place.

CR A-440, p. 22 (d)

If you have to postpone the hearing, your child's suspension will be continued and s/he will stay our\t of school but should continue to receive alternate education at the outreach center until the new hearing occurs (unless you and the school agree that s/he may return).

CR A-440, p. 22 (d)

If you fail to notify the hearing office 24 hours in advance that your child will be represented by an advocate/attorney, the school may request a postponement, and your child will stay out of school until the new hearing occurs.

CR A-440, p. 18

The School's Witnesses

The school will bring people who were involved in the incident and /or saw it to the hearing. The school will also have a witness (the investigating dean) testify about how it investigated the incident and conducted the suspension. However, the school can't make its case with this witness alone unless s/he also saw the actual incident.

If no one is there from the school who actually saw the incident, the charges must be dismissed.

CR A-440, p. 21

Your Witnesses

You may bring any witnesses you like to the hearing,

including students or school employees who were present and who support your child's version of the incident. Your can ask them to come, or you can ask the Hearing Officer to "subpoena" them. (CR A-440, p. 21) A subpoena is a letter sent from the Hearing Office asking a witness to come to the hearing. You may postpone the hearing to get witnesses, but your child will remain out of school until the hearing.

Witnesses can be very helpful in proving your case. A witness might help you prove a number of things (for example, that your child was not involved in the incident at all, didn't start it, or was provoked, etc.). **Always talk to your witnesses before you ask them to come to the hearing. Find out exactly what they know.** You might decide that a person will not be a good witness after your talk. **Do not use witnesses whose stories do not agree with your child's testimony.**

You may call a witness who can show how the school made mistakes. Someone from your family may testify that the school never called to say your child was suspended, or would not give you copies of your child's records when you asked for them.

If you find good witnesses who cannot come to the hearing, ask them to **write, sign and date** a statement about what happened. Ask the Hearing Officer to allow you to read it aloud at the hearing. Keep a copy for you records and give the original to the Hearing Officer as evidence. (See section on Evidence.)

The School's Responsibilities before Suspending a Student

Before suspending a student, the school has certain obligations, If it fails to take these steps, it may not have acted fairly to your child. Ask the "investigating dean" whether the school took each of the following steps:

The school must try to avoid a suspension by first trying to discuss any potential problems with you and your child. If your child has had problems before, ask the school what steps were taken to solve them before resorting to a suspension.	CR A-440, p. 2
The school must give the student the chance to tell her/his side of the story.	CR A-440, p. 15
The school must take a written statement from everyone involved, and from people who were not involved in the incident but who saw it. The school should take statements from every person who witnessed the event.	CR A-440, p. 15
The school must call the parent **immediately** after the Superintendent authorizes a suspension.	CR A-440, p. 17
The school shall give immediate written notice to the student's parent by personal delivery, express mail delivery or any other equivalent	CR A-440, p. 16-17

means reasonably calculated to assure receipt of such notice within 24 hours of the suspension. The school must also send written, specific charges by regular and certified mail **immediately** to the parent.

If your child is arrested, the school must contact you immediately, and have someone accompany your child to the police station and stay with him/her until you get there or for a reasonable time. That person should not be someone who was directly involved in the incident.

CR A-440, p.14

Objections

If anybody says anything while questioning a witness or while testifying about the incident that you think is unfair, or anybody asks a question unfairly, say "I object." If the Hearing Officer agrees it was unfair, s/he will "sustain" the objection and say that the question must not be asked or must be asked differently. If the Hearing Officer disagrees, s/he will "overrule" you and the discussion will continue. You must always be ready to state the reason you think something is unfair.

Irrelevant: You may object that something is unfair because it doesn't involve the charges. (For example, it is unfair to say your child is "always in trouble" since it has nothing to do with the charges.)

Hearsay: You may object if the person speaking does not really know anything about the charges and is only repeating what s/he was told about the incident (for example, s/he was not there when the incident occurred). This is "hearsay" (see Evidence below)

Leading Questions: You may object if a question suggests the answer that the questioner wants the testifier to give, like "Didn't you see so and so hit someone and cause a huge fight?" That question is unfair because it "leads the witness." A fair way to ask that question is simply "What did you see?"

Badgering, Asked and Answered, Argumentative: You may object if the questioner repeats the same question over and over or uses any angry or argumentative style in asking questions.

Evidence

You or the school can give written documents to the Hearing Officer as evidence. Handing in the documents is called "entering" or "admitting" evidence. As with oral testimony, you can object to anything the school seeks to enter which you think is unfair. The school will probably offer witness statements and other material related to the incident. Your also can offer witness statements. if, for instance, you speak to people who saw the incident, but who cannot come to the hearing, ask them to write a statement. Make sure they **sign and date it.**

You have a right to get a copy of all written evidence before the hearing if you requested it. The school cannot present any written evidence at the hearing if it did not give you a copy in the "suspension packet" (see page X). Object to any evidence you have not seen before.

CR A-440, p.23

All evidence must be relevant to the incident. Object to any documents that have nothing to do with the incident (unless they are helpful to your case).

Direct Evidence

The school must prove its case by "direct evidence." That means that a witness from the school must have firsthand knowledge about the incident. The witness has to have been there. It is not enough to repeat what someone else said. If no one present has firsthand knowledge, wait until the school says it has finished presenting its case and in your closing statement, say that the charges must be dismissed. (CR A-440, p.21)

Hearsay Evidence

When someone repeats what another person said, that is called "hearsay." Object to hearsay evidence. The hearing officer will tell you that hearsay is "admissible," which means that it can be considered. But the school cannot win its case only on hearsay. Someone must be present who was at the incident. (See above).

Witness statements are hearsay evidence. You, as well as the school, can submit into evidence written, signed and dated statements at the hearing.

Delay Between Incident and Suspension

A suspension is supposed to stop an "emergency" situation. It is not supposed to be used simply as a punishment. For this reason, a suspension must be immediate. A student no longer "poses a danger" if the incident occurred several weeks ago. Schools often say that the suspension was delayed because they were "investigating." Ask for a detailed explanation of all the things the school did, and why it took so long.

If there was a delay of more than a day or two between the incident and the suspension, argue that it was not "immediate" and that your child was no longer a danger. Point out that your child was back in school after the incident and nothing else happened.

CR A-440, p.4

Searches

The United States Supreme Court has ruled that it is illegal to search students in school unless the school official has a "reasonable suspicion" that s/he will find evidence that the child broke a law or school rule.

Searching a student is an invasion of privacy. Even if s/he

has done something wrong, the school does not automatically have the right to search her/him, or her/his possessions (for instance, bookbag). Participating in a fight or failing to carry a late pass does not create a "reasonable suspicion" that the student is carrying something illegal. The school must have a **specific** reason to believe that if they search the student, they will find something. And just because a school finds something illegal on a student does not mean it was right to search the child in the first place. If you feel the search was improper, ask for the charges to be dismissed.

If the school offers as evidence something found during a search of your child, and you feel that the school did not have a good reason for the search in the first place, object to it being entered into evidence.

US Supreme Court N.J. v. T.L.O.

Before conducting a search, the school must have information specific to your child. For instance, they cannot simply search all children found fighting.

The extent of the search must be reasonable A search that is unnecessarily "invasive" (or thorough) may be an illegal invasion of your child's privacy. For example, if the school has a valid reason to believe that your child has a weapon in her/his bookbag, there is no reason to pat her/his body down.

US Supreme Court N.J. v. T.L.O.

Weapons

If your child is charged with possession of a weapon, the school must present it at the hearing, unless they have given it to the Office of School Safety or the police. If the police have the weapon, the school must present a voucher for it at the hearing, along with a xerox copy of the weapon itself. The voucher serves a proof of the existence of the weapon and describes it. If the weapon was given to the Office of School Safety, that office should bring it to the hearing.

If the school does not bring the weapon, or a xerox and a voucher, say that it cannot prove its case and ask that the charges be dismissed.

There are two types of weapons. The first type are those that are illegal to carry, like guns, most knives, box-cutters and martial arts weapons. The second type are things that could be used as a weapon, but aren't usually used as a weapon, such as a nail-file, broken glass or a pen. If your child is found with a weapon that isn't necessarily danger, the school must prove that your child had an intent to use it to harm someone. If they cannot prove that your child had an intention to harm someone, argue that the charge be dismissed.

CR A-440, p. 11-12

Drugs

If your child is charged with possessing drugs, the school must prove that the substance is, in fact, a drug. (Also consider how it found drugs on your child. See the section on "Searches.") If the charge is possession of marijuana, ask the school how it is sure it is in fact marijuana. For instance, how do they know it isn't tobacco? Did they smell it burning? Do they know what marijuana smells like?

If the charge is possession of another drug, school officials must send it out to a lab for analysis. Charges may not be based on a guess about an illegal substance. If the school does send it out for analysis, it will need to postpone the hearing and reinstate your child until the new hearing date. You should be given a copy of the lab results before the new hearing begins.

If your child is charged with possessing or taking drugs, and those drugs were medication prescribed by a doctor, bring the prescription and a letter from the doctor to the hearing and introduce them into evidence.

Academic Records and the Post-Hearing Dispositional Phase

After the part of the hearing when the facts of the case are discussed, the Hearing Officer will ask for "dispositional" material. The school will hand in academic information such as grades and teachers' comments. check the records

to make sure that you already have everything given to the Hearing Officer.

You should have been notified in writing any time the school wrote something negative on you child's school record. If you were never made aware of negative comments on the records, object to their being handed in as evidence.

CR A-440, p. 18
CR A-820

You may also submit letters of recommendation or other materials to help the Superintendent make a decision about your child's future placement. You may make a specific request, like having your child returned to the same school or transferred to a different school. Let the hearing officer know if there is a specific school(s). ton which you would like your child transferred (but note that the Superintendent does not have to honor your request.) If your child did not receive school work during the suspension, or missed any exams, ask the Hearing Officer to help make arrangements to make up missed work. Remind the Hearing Officer that your child has already missed many days of school, and you don't want her/hem to fall further behind. Also request that any record of the suspension be sealed and expunged from your child's permanent school records (see records of suspension.)

The Hearing Officer will first decide whether your child is innocent or guilty, based on the evidence. If the charges are upheld, s/he will look at the academic records to help the Superintendent make a decision about where your child will continue his/her education.

Timeline for the Hearing Officer to Issue a Decision

You should receive a mailgram two working days after the hearing, letting you know whether the charges have been "sustained" (found to be true) or "dismissed" (found to be untrue). After 5 school days, you should receive a 2 or 3 page letter explaining the Hearing Officer's decision.

CR A-440, p. 30

If the Hearing Officer does not give you a decision within these time guidelines, your child may return to school while waiting for the decision.

What the Hearing Officer can Decide

If the charges are found to be untrue, your child may return to the same school, although you can request a voluntary transfer to another school if thou think it would be better for your child.

If the charges are found to be true, the Superintendent may:

reinstate your child in the same school (this is rare);

transfer your child to another school;

continue the suspension for 6-30 more school days;

suspend your child from school for a calendar year

transfer your child to an **SOS school** (Second Opportunity School) for a calendar year

If you do not agree with the decision because you do not like the school our child was transferred to, call up the District Office (ask for the head of guidance or pupil personnel), to ask for a transfer to another school. If you disagree entirely, you should write to the Chancellor "appealing" the decision (see "Appeal").

Continued Suspension for a Fixed Period of 6-30 School Days

The Superintendent may authorize a continued suspension for a fixed period of 6-30 school days (up to 6 weeks of school). During this period the student is entitled to alternate education at an alternative instruction site that must be "substantially equivalent" to his/her school program. At the end of this period your child will either be reinstated to his/her own school or transferred to a new school.

Extended Suspension for One Calendar Year(With the opportunity to petition for early readmission)

The Superintendent may authorize a suspension for one calendar year, during which time your child is must be provided with an alternative education at an alternative

instruction site. Again this alternative education must be "substantially equivalent" to his/her program. In the decision letter, the superintendent must give you a date no less than 30 days and no more than 90 calendar days for when your child can petition to reenter a regular school program.

Extended Suspension for One Calendar Year with a Transfer to a Second Opportunity School (Grades 6-9) **or to an Alternative School** (K-5)(With no opportunity to petition for readmission)

For the most serious infractions, a Superintendent may authorize a transfer to a Second Opportunity School (grades 6-9) or, for students in grades K-5, to an alternative school. In these cases, your child will not be able to petition for early readmission. Also, students in grades K-5 may also be transferred to a Second Opportunity School if they were found to use a firearm in school.

Referral to Special Education

If your child is referred for an evaluation for possible handicapping conditions, you have to decide whether you agree to have your child tested. This is difficult decision and we suggest that you call Advocates for Children for advice. Even if you decide not to consent to an evaluation, s/he must be returned to school, either immediately or at the end of the suspension period.

Records of Suspensions

The superintendent will decide whether the record\d of this suspension will be permanently noted on your child's school record, or will be "sealed and/or expunged." "Sealed" means that the record of the suspension will be kept separate and "expunged" means that, if your child does not get suspended again, the record of the suspension will be destroyed upon leaving or graduating from the New York City school system. If the decision is to permanently note the suspension on your child's record (this rarely happens), you may appeal that part of the decision. (See "Appeals" section.)

Petitioning for Readmission

If your child is suspended for a calendar year the opportunity for early readmission, the Superintendent will give you a date, between 30 and 90 days from the suspension, when you may "petition for early readmission to a regular NYC public school." To petition for readmission, you must submit letters of recommendation, and a statement by your child saying what s/he has done during the expulsion and promising not to violate the discipline code in the future. You must also tell the Superintendent why your child wants to go back to school, and what your child's "educational plans" are if readmitted. (This can simply mean what school you would like your child to attend and why.)

After receiving your petition, the Superintendent will ask

you and your child to come to a conference. This conference must be scheduled no later than 10 days after the Superintendent receives you petition. You will then be told if you child is to be returned to school, or whether you must petition at a later date.

Appeals

You may appeal any decision by writing a letter within ten days from the suspension to the Community School Board. If the school board denies your appeal, you may appeal to the Central Board of Education (within 20 days from receiving the school board's decision).

Checklist for Superintendent Suspensions

- ☐ Call to make sure this is a Superintendent's suspension and not a principal's suspension.
- ☐ Go to school and get a copy of your child's suspension packet.
- ☐ Talk to potential witnesses - see if they are willing to write statements on your child's behalf, or come testify at the hearing.
- ☐ Decide whether or not you want to plead no contest or have a hearing.
- ☐ Gather letters of character reference from teachers, counselors, employers, etc. (whether having a hearing or pleading no contest)
- ☐ Subpoena any school witnesses your want to appear at least two days in advance.
- ☐ If you have an attorney or advocate, inform the hearing office at least 24 hours in advance that they will be attending the hearing.

Advocates for Children of New York
151 West 30th Street, 5th Floor
New York, New York 10001
(212) 947-9779

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